2022

LAW

Legislative Drafting

Paper - 903

(NEW SYLLABUS)

Full Marks : 80 Time : 3 Hours

The figures in the right-hand margin indicate marks.

Candidates are required to give answers in their own words as far as practicable.

Answer **question no. 1** and any **five** from the rest.

1. Answer any **ten** questions : 2×10=20

   i) What do you mean by 'Principles of Legislation'?

   ii) What is the importance of 'Legislative Drafting'?

   iii) What is 'Order' under Legislative Drafting?

   iv) What sort of Words should not be used in Legislative Drafting?

   v) What are the responsiblities of Legislative draftsman?

   vi) What are the steps in Legislative drafting?

vii) Define 'Schedule'.

viii) Define 'Non-Obstante' Clause.

ix) What are the 'Legislative Process'?

x) How legislative drafting is 'Scrutinised'?

xi) Define 'Marginal Notes'.

xii) What do you mean by the term 'Syntax'?

2. What is meant by 'Legislation'? Discuss briefly the 'history of Legislation'. 2+10=12

3. "It is the primary duty of a Legislative draftsman to use the language and style thereof as is commonly used in the enactments of his particular country" – Explain the statement. 12

4. a) What is 'definition'? Refer to different kinds of definition.

b) What is expected from a legislative draftsman? 8+4=12

5. a) Write a note on 'Non-obstante clause'.

b) What is the effect of Want of Skill in drafting a provision. 6+6=12

6. Discuss the preleminary drafting techniques briefly, as are adopted in the modern legislation. 12

7. Write short notes on (any **two**) : 6+6=12

a) Marginal Notes

b) Commencement

c) Interpretation Clause

d) Saving Clause

8. a) Comment on the following :

i) Notwithstanding anything in any other law

ii) Punctuations in Legislative Drafting.

b) Discuss relevance of "delegatus non potest delegare" in Legislative drafting. 6+6=12

9. a) Legislative drafting is both a Science and an Art. – Discuss.

b) Write note on safeguards against common error. 6+6=12
